

compromise Defendant William Noble Rare Jewels, LP, and file the amended complaint.

II. PROCEDURAL BACKGROUND

2. On June 30, 2022, Birnbach initiated the present against Defendants William Noble Rare Jewels, LP and William Noble (collectively, the “Defendants”).¹

3. The basis for jurisdiction in this Court is diversity of citizenship with an amount in controversy in excess of \$75,000.00.²

4. The Court, on August 4, 2022, entered an order requiring Birnbach to file a second amended complaint by August 18, 2022, setting out in further detail the basis for alleged diversity jurisdiction to support the Court’s exercise of jurisdiction.³

5. On August 24, 2022, local counsel entered an appearance on behalf of Birnbach.⁴

6. On August 30, 2022, local counsel was contacted by Court personnel to ascertain the status of the required amended complaint. During this teleconference, local counsel informed the Court’s representative of lead counsel’s exigent circumstances, and that local counsel would attempt to have something on file in the next 48 hours if possible.

7. At present, local counsel does not have the underlying case file and is presently researching the interrelated ownership structure of William Noble Rare Jewels, L.P.

III. SUPPLEMENTAL INFORMATION REGARDING DEFENDANTS’ CITIZENSHIP

8. Birnbach has confirmed through the Texas Secretary of State that William Noble Rare Jewels, L.P.’s general partner is William Noble, L.P., with an apparent limited partner of Defendant William Noble, Jr.⁵

¹ See Docket Number 1.

² See Docket Number 9.

³ See Docket Number 10.

⁴ See Docket Number 12 and 13.

⁵ Exhibit 1, the Declaration of Brandon J. Gibbons regarding Exhibits 2 through 8. Exhibit 2, a true and correct copy of the William Noble Rare Jewels, LP Articles of Conversion obtained from the Texas Secretary of State’s Office. Exhibit 3, a true and correct copy of the 2018 Report demonstrating Defendant William Noble, Jr. as “Partner” of

9. William Noble, L.P.'s general partner is William Noble Genpar, LLC, a Texas limited liability company with its principal place of business at 25 Highland Park Village, Suite 100, Dallas, Texas 75205 and a sole member of Defendant William Noble, Jr.⁶

10. William Noble, LP's limited partner appears to be Defendant William Noble Jr. who holds himself out as the "Managing Partner" in filings on the Texas Secretary of State's website.⁷

11. Defendant William Noble Jr. is a resident of the State of Texas and does business in this District according to the filings with the Secretary of State.⁸

12. Further, based upon information available, Defendant William Noble Jr. owns a home in Fredericksburg, Texas according to publicly available appraisal district data and holds a driver's license (TXDL XXXXXXXX704) stating an address of 1440 N. US Highway 87, Fredericksburg, TX 78624-3044.⁹

IV. ARGUMENTS AND AUTHORITIES

13. Birnbach requests a brief extension of the Court's deadline to file an Amended Complaint to allow local counsel to obtain case files and to allow lead counsel adequate time to deal with the exigent circumstances detailed herein.

14. A brief continuance will allow justice to be done and not unreasonably interfere with other business of this Court.

William Noble Rare Jewels, LP. Plaintiff asks the Court to take judicial notice of the publicly available records.

⁶ Exhibit 4, a true and correct copy of the William Noble, LP Certificate of Conversion demonstrating a general partner of William Noble Genpar, LLC. Exhibit 5, a true and correct copy of the Texas Secretary of State's Management Screen for William Noble, LP demonstrating a general partner of William Noble Genpar, LLC. Exhibit 6, a true and correct copy of the William Noble Genpar, LLC Certificate of Formation showing William Noble Jr. as the sole member. Plaintiff requests the Court take judicial notice of these publicly filed records.

⁷ Exhibit 7, a true and correct copy of William Noble, LP's Public Information Report for 2019 showing William Noble, Jr. as "Managing Partner." Plaintiff requests the Court take judicial notice of this public available record.

⁸ See Ex 7.

⁹ Exhibit 8, a true and correct copy of the Gillespie County Appraisal District's website showing William Noble Jr. as the owner of a home in Gillespie County, Texas. Plaintiff requests the Court take judicial notice of these publicly available records.

V. CONCLUSION AND REQUEST FOR RELIEF

For the reasons stated herein, Plaintiff requests that the Court grant a brief two-week extension to the deadline to file an Amended Complaint and grant Plaintiff any further and additional relief, at law or in equity, to which it demonstrates itself entitled.

Respectfully Submitted,

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